

TIMOTHY CAVAN.

[To accompany Bill H. R. No. 274.]

MARCH 2, 1860.

Mr. FOSTER, from the Committee on Invalid Pensions, made the following

REPORT.

*The Committee on Invalid Pensions, to whom was referred the petition of Timothy Cavan, an invalid pensioner, report :*

That the petitioner states that on the 21st of February, 1813, he enlisted as a private in the regiment of light dragoons of the United States, for five years, under the command of Lieut. Barbour, and marched from Wheeling, Virginia, to Sackett's Harbor, New York, in the winter of 1813-'14; that he was there detailed as one of a fatigue party to haul timber for the erection of block-houses, and, whilst so employed, in helping to raise a large and heavy piece of timber on a log sledge, received a strain occasioning an injury of the bladder; in consequence of which, he was considered unfit for duty and honorably discharged the service on the 25th of August, 1815, for disability. That he received said injury while in said service, in the line of his duty, which the certificate of the surgeon of the army sufficiently shows. That he made application to the Pension office for an invalid pension in January, 1835, which ought, in justice, to have been at that time allowed, but, for technical causes, was not; and he continued an humble supplicant until Congress, through its sense of justice, granted him partial relief in a special act of Congress allowing him a pension from 1844. The petitioner further states that he gave his best services to his country in time of war, and in its service, lost his health, and has not since been able to maintain himself and family comfortably, even with the pittance heretofore received. That the pension heretofore allowed him failed to satisfy the just demands under which he was then oppressed; and he is again at the mercy of those who have a right to turn him out of house and home, and which he can only prevent by timely aid and assistance from his country, which he confidently believes they will do, when by so doing they only fulfil an obligation, which the Pension office ought to have discharged when his claim was first presented.

In corroboration of the truth of his statements, your committee incorporate in this report the following evidence :

ADJUTANT GENERAL'S OFFICE,  
*Washington, January 22, 1849.*

DEAR SIR: Timothy Cavan, an old soldier of the war of 1812, and a citizen of Ohio, has shown me his papers applying for a pension as an invalid soldier; and from an examination of them, I am satisfied he is entitled in equity to a pension, though unable entirely to comply with the technicalities of the Pension office regulations. The old man is very poor, and what little property belongs to him is now under execution, as he states, and, unless the government gives him this small pittance *very soon*, will be swept away from him, and he be left a beggar upon the charity of his country, when he has a right to demand a maintenance from its justice. Will you please give his papers an early examination.

Very respectfully your obedient servant,

R. JONES,  
*Adjutant General.*

Hon. H. JOHNSON,  
*Chairman of Pension Committee, United States Senate.*

Your committee are of the opinion, from all the evidence before them, the petitioner was justly entitled to have been placed on the invalid pension roll in 1835, when his proof was complete, as admitted by the Adjutant General; and inasmuch as he has never been able to labor since he received said injury, he ought, in justice, to be allowed a pension from the time he was disabled to the time he commenced to receive a pension under the special act of Congress in his behalf. Your committee, therefore, report the accompanying bill.